

HAMPTON PLANNING BOARD

Minutes

April 16, 2008 – 7:00 p.m.

PRESENT: Tracy Emerick, Chair
Robert Viviano, Vice-Chair
Fran McMahon
Mark Loopley, Clerk
Keith Lessard
Tom Higgins
Richard Bateman, Selectman Member
James Steffen, Town Planner
Candice Sicard, Planning Secretary

ABSENT:

I. CALL TO ORDER

Chairman Emerick began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

II. ATTENDING TO BE HEARD

- Parking lot application / Vertical Building & Associates LLC. Ocean Boulevard between J and K Street.

APPLICANT

Jack Kopka representing the applicant. Mr. Kopka explained the current plan for the temporary parking lot. Mr. Kopka explained that the lot would be re-graded. Mr. Lessard asked Mr. Steffen if he had the plan for the last temporary improvements because he believed that it was more than just one parking lot in the past. Mr. Steffen explained that in 2004 the application was for two parking lots and two different lot owners, the lots were kept in the under 25-space threshold to avoid having a certified plan. The Board discussed the previous applicant and once temporary parking was granted, another temporary use cannot be granted for the same lot; it would then need to become permanent parking. Mr. Lessard discussed the need for a fence, hours of operation, when the gates would be open and closed, overnight parking, what the rules are going to be, and he would like the applicant to stick to the 22' width isles. Mr. Kopka explained how the attendants would be managing the parking lot, as well as the place the cars shall enter and exit. He noted that there could be some overnight parking by special arrangements only. Mr. Kopka noted that the hours would be as follows: Wednesday, Friday and Saturday the lot will be open until 11:00 pm, Monday, Tuesday, Thursday and Sunday the lot would be open until 9:00pm. Mr. Lessard asked if there would be an attendant at all hours of operation, Mr. Kopka said in the past that was not, most attendants left after the majority of the cars had vacated the lot. Mr. Bateman asked about a driveway permit for the present location for the entry/exit way. Mr. Kopka noted that there were driveway permits when buildings existed there, and they remain in the same location. Mr. Bateman asked if the area was an improved driveway, and if there was a curb cut. Mr. Kopka referred to the original site plan from the previously existing building. There was discussion of exiting the parking lot, and the flow of traffic through pedestrians. Mr. Kopka said a floating sign would be used also that the exit and entrance will be marked but will not be permanent. Mr. Viviano asked about the hours, and marking handicap parking. Mr. Kopka noted that there was no marked handicap

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parking but that attendants help customers park and if one needed assistance it would be provided. Discussion ensued on the Board about handicap parking spaces. Mr. Kopka noted that if required the handicap parking signs would be put in place. Mr. Higgins believed the Board already granted the plan temporary approval with the same entrance and exit as currently shown (with the exception of the depth) and he believes it was well run in the past. It was discussed that there are several temporary parking lots at the beach that operate with out the approval of the Planning Board. Mr. Lessard added that these parking lots should not be operating and that residents of neighboring properties should report the unapproved business. Mr. Kopka noted the need for more parking at the beach and that this lot would be practical for residents and tourists in addition to helping the applicant offset the taxes paid on the lot.. Mr. Loopley asked about collecting litter and about the sidewalk on Ocean Boulevard and how to prevent cars from driving over it. Mr. Kopka noted that they would put up a rope fence during the day, and would be removed at night, rubbish is removed daily. Mr. Steffen also noted that there was another parking lot proposal with the Tastee Tower, and how it was designed to be more permanent than the application being heard, this isn't paved, and the Board did not do a full review on that application as he recalled. Mr. Lessard asked about controlling cars, isle widths and the front engines of cars pulling into the sidewalk. It was noted that a rope fence would be put along the front of the lot. Mr. Lessard asked about the sidewalk and how a truck could drive over it, and that he would like the applicant to receive a curb cut from the state. Mr. Lessard would like to continue the application. Discussion ensued on the Board about the temporary plan and possible conditions.

MOVED by Mr. Lessard to continue the application to the May 7, 2008 meeting for the applicant to bring permits to come on and off Ocean Blvd. and give more detailed information on monitoring cars.

SECOND – NONE

Ted Sanderson commented that there is no need for a rope when someone is directing traffic.

MOVED Mr. Higgins to approve the one-year temporary parking lot with the following conditions / stipulations:

1. Eliminate nine parking spaces to accommodate the twenty-two foot isle widths, making the parking lot for ninety spaces.
2. A rope fence will be posted on the perimeter of the lot.
3. Hours of operation will be Monday, Tuesday, Thursday and Sunday open until 9:00 pm, Wednesday, Friday and Saturday open until 11:00 pm.
4. Two handicap parking spaces will be marked with a sign on-site.

SECOND Mr. Loopley

Mr. Viviano wanted to clarify the motion.

VOTE: 5-1-1 Mr. Bateman abstained, Mr. Lessard opposed

MOTION PASSED

III. CONTINUED PUBLIC HEARINGS

07-097 Ezra Real Estate LLC Continued from 12/05/07 & 01/16/08, 02/20/08

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165 Island Path
Map 280 Lot 22-2 & Map 281 Lot 43
Special Permit to Impact Wetlands to construct a duplex on the property.
Applicant: Ezra Real Estate LLC
Owner of Record: John & Ann Hangen

07-098 Ezra Real Estate LLC Continued from 12/05/07 & 01/16/08, 02/20/08

165 Island Path
Map 280 Lot 22-2 & Map 281 Lot 43
Subdivision to create two residential lots with construction of a duplex on one lot.
Waiver request Section VII, C. Storm Drainage
Applicant: Ezra Real Estate LLC
Owner of Record: John & Ann Hangen

BOARD

Chairman Emerick noted the applicant requested a continuance to the May 7, 2008 meeting.

MOVED by Mr. Viviano to continue the referenced application to the May 7, 2008 meeting.

SECOND by Mr. Lessard

VOTE: 7-0-0 **MOTION PASSED**

08-013 431-435 Ocean Blvd Continued from 03/05/08

Map 266, Lots 27 & 47
Site Plan Review: To demolish Riviera Motel and residential buildings. Construct a 23-unit condominium with on-site parking and amenities. Eliminate 3,550 SF of impervious in buffer, restore wetlands along the marsh
Applicant: Kier Family Entrepreneurs Inc.
Owner of Record: Denise Campeau & Kier Family Entrepreneurs Inc.

BOARD

Chairman Emerick noted the applicant requested a continuance to the May 21, 2008 meeting

MOVED by Mr. Viviano to continue the referenced application to the May 21, 2008 meeting.

SECOND by Mr. Loopley

VOTE: 7-0-0 **MOTION PASSED**

08-004 72 Kings Highway Continued from 02/06/08, 03/19/08

Map 210, Lot 4
Site Plan Review to provide 17 on-site parking spaces for lot occupants and customers, with fencing and plantings.
Waiver Requested: Section V.E & VII (C)
Owner of Record: M&F Hampton, LLC

BOARD

Chairman Emerick noted the applicant requested a continuance to the May 7, 2008 meeting.

MOVED by Mr. Lessard to continue the referenced application to the May 7, 2008 meeting.

SECOND by Mr. Viviano

VOTE: 7-0-0 **MOTION PASSED**

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IV. CONSIDERATION OF MINUTES of April 2, 2008

Page 2: “Board discussed the shed being moved, and how the parking spaces would be marked and numbered on site as well as snow storage being relocated on plan.” Changed to “Board discussed the shed being moved within the proper setback and how the parking spaces would be marked and numbered on site as well as snow storage being relocated on plan.”

Page 2: “The Board noted that the applicant Dean Koravos asked to continue the application until the May 7, 2008 Planning Board Meeting.” Changed to “The Board noted that the applicant Dean Koravos asked to continue the application until the May 7, 2008 Planning Board Meeting in order to meet again with the Conservation Commission.”

Page 5: “Mr. Higgins asked about adding that the driveways were permitted.” Changed to “Mr. Higgins asked about adding that the driveways were permitted by the Town.”

MOVED by Mr. Lessard to approve the April 2, 2008 minutes as amended.

SECOND by Mr. Viviano

VOTE: 7-0-0 **MOTION PASSED**

V. CORRESPONDENCE

Chairman Emerick noted that there was a letter from applicant of the 7-9 Bonair project. Originally the applicant agreed to move the shed out of setbacks. The letter from the engineer of the project stated that if they moved the shed it would fall apart. The applicant asked if the Board could allow the shed to remain as a preexisting nonconforming condition as it is. The Board noted that the shed would be grandfathered as it is, and cannot be rebuilt, and goes with the limited common area. Mr. Lessard noted that it needs to be clear; if the shed needs to be repaired it would need to be removed.

MOVED by Mr. Higgins to allow the shed to be grandfathered as is, cannot be rebuilt, and goes with the limited common area

SECOND by Mr. Loopley

VOTE: 7-0-0 **MOTION PASSED**

VI. OTHER BUSINESS

VII. ADJOURNMENT

MOVED by Mr. Lessard to adjourn.

SECOND by Mr. Viviano

VOTE: 7-0-0 **MOTION PASSED**

Meeting adjourned at 7:39

Respectfully Submitted,

Candice Sicard
Planning Secretary